



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/965,291 | 09/27/2001 | Mitsuji Hama | NAK1-BQ06 | 3849 |

21611 7590 12/08/2005

SNELL & WILMER LLP
600 ANTON BOULEVARD
SUITE 1400
COSTA MESA, CA 92626

EXAMINER

RAMAKRISHNAIAH, MELUR

ART UNIT PAPER NUMBER

2643

DATE MAILED: 12/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

| | | | | |
|------------------------------|------------------------|--|---------------------|--|
| Office Action Summary | Application No. | | Applicant(s) | |
| | 09/965,291 | | HAMA ET AL. | |
| | Examiner | | Art Unit | |
| | Melur Ramakrishnaiah | | 2643 | |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 9-12 is/are allowed.
- 6) ☒ Claim(s) 1-8, 13 and 14 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>5-31-2005</u> . | 6) <input type="checkbox"/> Other: _____ |

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1-3, 4-6, 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Aberg (WO 00/55717) in view of Werkhoven (WO99/59097).

Regarding claim 1, Aberg discloses communication system which (i) groups a plurality of setting items for related internal functions of the communication terminal into a top level item, and (ii) displays that the group of setting items belongs to the top level item, comprising: a selection key (14/15, fig. 1) for selecting a setting item from the plurality of setting items, a display means (6, fig. 1) for displaying the selected setting item, a confirmation key (reads on 12, fig. 1) for confirming the selected setting item to setting screen therefor, changing means for changing, in the setting screen of the confirmed setting item, setting value of the setting item (page 8, line 4 – page 9, line 35; figs. 1-3).

Aberg differs from 1-2 in that he does not teach the following: measuring means for measuring a length of time for which selected setting item is displayed, and setting value display means for displaying, when the length of time exceeds a predetermined length of time, the setting value of the selected setting item, wherein the setting value display means forms a popup window on part of setting item in which the plurality of

Art Unit: 2643

setting items are being displayed, and displays the setting value of the selected setting item in the pop up window.

However, Werkhoven discloses internet advertising system which teaches the following: measuring means (implicit in as much as the reference teaches popup window showing selected item appearing and disappearing based on predetermined time) for measuring a length of time for which selected setting item is displayed, and setting value display means for displaying, when the length of time exceeds a predetermined length of time, the setting value of the selected setting item, wherein the setting value display means forms a popup window on part of setting item in which the plurality of setting items are being displayed, and displays the setting value of the selected setting item in the pop up window (page 1, line 35 – page 2, line 5; page 2 lines 12-20).

Thus, it would have been obvious to one of ordinary skill in the art at the time invention was made to modify Aberg's system to provide for the following: measuring means for measuring a length of time for which selected setting item is displayed, and setting value display means for displaying, when the length of time exceeds a predetermined length of time, the setting value of the selected setting item, wherein the setting value display means forms a popup window on part of setting item in which the plurality of setting items are being displayed, and displays the setting value of the selected setting item in the pop up window as this arrangement would facilitate to display additional information on the user interface based on lapse of predetermined time as taught by Werkhoven.

Regarding claims 3, 13, Aberg further teaches the following: setting value display means (6, fig. 1), when an operation of the selection key (14/15, fig. 1) is performed, while the setting value of the selected setting item is being displayed, stops displaying the setting value, and returns to displaying the setting item screen (page 8 lines 21-33).

Regarding claims 4-6, 14, they are similar to claims 1-3, 13 and rejected for the same reasons as set forth in the rejection of claims 1-3 and 13.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 7-8 are rejected under 35 U.S.C 102(e) as being anticipated by Aberg.

Regarding claim 7, Aberg discloses a communication terminal which (i) groups a plurality of setting items for selected internal functions of the communication terminal, (ii) displays that the group of setting items belongs to the top level item, and (iii) displays the top level item together with the group of setting items that belong thereto, comprising: a selection key (12, fig. 1) for selecting one of plurality of top level items, and display control means (20, fig. 2) for controlling displaying of the plurality of top level items (100, 200, 300, fig. 3) and plurality of setting items (110, 210, 310, fig. 3) wherein the display control means has one selects top level item and the group of

Art Unit: 2643

setting items (like 110, fig. 3) which belong thereto displayed, and has only top level items displayed for top level items which have not been selected (page 8, line 4 – page 9, line 35; figs. 1-3).

Claim 8 is method claim and is rejected for the same reasons as set forth in the rejection of claim 7.

5. Claims 9-12 are allowed.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Melur Ramakrishnaiah whose telephone number is (571)272-8098. The examiner can normally be reached on 9 Hr schedule.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curt Kuntz can be reached on (571) 272-7499. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Melur Ramakrishnaiah
Primary Examiner
Art Unit 2643